THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 21218 of 1997

Dated: 05-12-2006

Between:

Kokkiligadda Peda Venkateswara Rao and
two others.

..... PETITIONERS

AND

The Mandal Revenue Officer,
Bandar Mandal, Machilipatnam,
Krishna District and another.

.....RESPONDENTS

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 21218 of 1997

O R D E R:

This writ petition is filed aggrieved by the alleged action of the second respondent-Station House Officer, Bandar Police Station, in interfering with the possession of the petitioners fish tanks situated in R.S.No. 216/2 of Gundupalem village, Bandar Mandal, Krishna District.

This Court, while directing Rule Nisi, by order, dated 04-09-1997, granted interim order not to interfere with the possession of the petitioners, which continues to be in operation till today.

Though, no counter affidavit is filed on behalf of the respondents, having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition with a direction to the respondents 1 and 2 not to interfere with the possession of the petitioners without following due process of law. It is made clear that this shall not preclude the respondents 1 and 2 to take appropriate steps following due process of law, in case it is found that the fish tanks being cultivated by the petitioners are contrary to the provisions of any statute. No costs.

G. ROHINI, J

Dated: 05-12-2006
KLP